

CALFRESH (CF) PROGRAM

REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 9-2-14	NEED RESPONSE BY: ASAP
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: San Bernardino County	
3. PHONE NO.:	7. SUBJECT: Mid-Period QR Voluntary Report Shelter Increase	
4. REGULATION CITE(S): Title 7 CFR 273.12(c), MPP 63-508.141(a), 63-509(a)(3)(B)	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACIN I-84-03 ACL 03-18 p. 48	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

The claimant's QR 7 report month was July 2012 for the June data month. The claimant reported by phone on 09/10/12 that her rent had increased effective 08/31/12. The claimant also testified that she faxed the new rental contract to the county on 08/31/12, the day she signed it with her landlord. In addition, she testified she reported the increase again by phone on 09/10/12 after receiving the 09/04/12 overissuance notice. The county made this change effective 10/01/12.

10. REQUESTOR'S PROPOSED ANSWER:

The county should have made the rental increase effective in September 2012, the month in which it was reported, and should have supplemented the claimant's benefits for the month. (In the present case, making the rental increase effective in September would actually have lowered an overissuance in that month caused by late processing of a timely QR7, but in general supplementation would be correct.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

ACL 03-18, page 48, states the policy for shelter costs for QR. Once the shelter cost increase has been verified, the shelter costs must be recomputed and benefits supplemented. According to MPP Section 63-509(a)(3)(B), if reports of shelter cost increases result in increased benefits mid-quarter, benefits shall be supplemented if the benefits can be increased mid-quarter. The supplementing of benefits is for the remaining months in the quarter/the rest of the certification period. Title 7 CFR 273.12(c) advises the change in shelter expenses be effective no later than the first allotment issuance 10 days after the date the increase was reported. Voluntary mid-quarter reports must be re-reported on the following data month which would have been September 2012. The county was correct to increase benefits on 10/01/12 based upon a report of increased shelter costs on 09/10/12 or even 08/31/12 (If the client faxed verification as she testified, she would have been required to provide the fax receipt to the county within 10 days of the voluntary report.

FOR CDSS USE

DATE RECEIVED: 9/02/2014	DATE RESPONDED TO COUNTY/ALJ: 09/04/2014sc
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